

195580

STATE OF SOUTH CAROLINA

(Caption of Case)

Carraways Treasures & Collections v. Verizon South, Inc., and Farmer Telephone Cooperative, Inc.

BEFORE THE  
PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA

COVER SHEET

DOCKET

NUMBER: 2008 - 347 - C

(Please type or print)

Submitted by: Steven W. Hamm, Esq.

SC Bar Number: 2634

Telephone: 803-771-4400

Fax: 803-779-0016

Address: 1900 Barnwell Street

P.O. Drawer 7788

Columbia, SC 29201

Other:

Email: shamm@richardsonplowden.com

NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

DOCKETING INFORMATION (Check all that apply)

☐ Emergency Relief demanded in petition

☐ Request for item to be placed on Commission's Agenda expeditiously

☐ Other:

INDUSTRY (Check one)

NATURE OF ACTION (Check all that apply)

- ☐ Electric  
☐ Electric/Gas  
☐ Electric/Telecommunications  
☐ Electric/Water  
☐ Electric/Water/Telecom.  
☐ Electric/Water/Sewer  
☐ Gas  
☐ Railroad  
☐ Sewer  
☒ Telecommunications  
☐ Transportation  
☐ Water  
☐ Water/Sewer  
☐ Administrative Matter  
☐ Other:

- ☐ Affidavit  
☐ Agreement  
☒ Answer  
☐ Appellate Review  
☐ Application  
☐ Brief  
☐ Certificate  
☐ Comments  
☐ Complaint  
☐ Consent Order  
☐ Discovery  
☐ Exhibit  
☐ Expedited Consideration  
☐ Interconnection Agreement  
☐ Interconnection Amendment  
☐ Late-Filed Exhibit

- ☐ Letter  
☐ Memorandum  
☐ Motion  
☐ Objection  
☐ Petition  
☐ Petition for Reconsideration  
☐ Petition for Rulemaking  
☐ Petition for Rule to Show Cause  
☐ Petition to Intervene  
☐ Petition to Intervene Out of Time  
☐ Prefiled Testimony  
☐ Promotion  
☐ Proposed Oder  
☐ Protest  
☐ Publisher's Affidavit  
☐ Report

- ☐ Request  
☐ Request for Certification  
☐ Request for Investigation  
☐ Resale Agreement  
☐ Resale Amendment  
☐ Reservation Letter  
☐ Response  
☐ Response to Discovery  
☐ Return to Petition  
☐ Stipulation  
☐ Subpoena  
☐ Tariff  
☐ Other:

Print Form

Reset Form

ORIGINAL

October 16, 2008

Reply to: Columbia  
Email: [shamm@rperlaw.com](mailto:shamm@rperlaw.com)  
Private Line: 803-576-3713

**VIA HAND DELIVERY**

The Honorable Charles L. A. Terreni  
Chief Clerk/Administrator  
The South Carolina Public Service Commission  
P.O. Box 11649  
Columbia, S.C 29211

Re: Docket No. 2008-347-C /Carraways Treasures & Collections v. Verizon  
South, Inc., and Farmers Telephone Cooperative, Inc.

Dear Mr. Terreni:

Enclosed for filing on behalf of Verizon South, Inc., is an original and ten (10) copies of its Answer to the Complaint in the above referenced matter. By copy of this letter and certificate of service, all parties of record are being served by U.S. Mail with a copy of this Answer.

If you should have any questions or concerns regarding this matter, please feel free to contact me at (803) 771-4400.

Sincerely,



Steven W. Hamm

cc: Parties of Record

RECEIVED  
2008 OCT 16 PM 2:46  
SC PUBLIC SERVICE  
COMMISSION

**BEFORE**  
**THE PUBLIC SERVICE COMMISSION OF**  
**SOUTH CAROLINA**  
**DOCKET NO. 2008-347-C**

IN THE MATTER OF

Carraways Treasures & Collections v.	)	
Verizon South, Inc. and Farmers	)	ANSWER
Telephone Cooperative, Inc.	)	

Verizon South Inc. (“Verizon”) answers the complaint of Carraways Treasures & Collectibles (“Carraways”) as follows:

1. In the first paragraph of the complaint, Carraways requests that its service be switched from Verizon to Farmers Telephone Cooperative, Inc. (“Farmers”). In response, Verizon states that the request is ambiguous because it does not specify which service Carraways wants to receive from Farmers. If Carraways is requesting that Farmers provide broadband service, the Commission does not have jurisdiction over the complaint and it should be dismissed. Verizon further states that a carrier does not need the Commission’s permission to provide broadband service and therefore nothing prevents Carraways from ordering broadband service from Farmers today. If Carraways is requesting that Farmers provide telephone service, however, Verizon respectfully opposes the request because the Carraways property is not in Farmers’ certified territory. By law Farmers may not provide telephone service to the Carraways property, although its affiliated competitive local exchange carrier is free to do so if Carraways so requests. Further, Carraways acknowledges that Verizon is providing

telephone service to the property and Carraways does not allege any deficiency in that service.

2. The second paragraph of the complaint makes allegations concerning the location of the Carraways property. In response, Verizon admits that the Carraways address is correctly stated and that Verizon provides dial tone service to the property. Verizon is without information sufficient to form a belief as to the truth of the remaining allegations of the second paragraph of the complaint and therefore denies those allegations.

3. The third paragraph of the complaint alleges that Mr. Carraway requested that Verizon provide DSL or other high speed access to the Internet and that “after exhausting all means of obtaining this service” Verizon informed Mr. Carraway that the service would not be made available to him. In response, Verizon admits that Mr. Carraway requested Verizon to provide DSL service to the Carraways property and that Verizon informed him that it was not able to provide the service to the property. Verizon further notes that currently it is not able to provide DSL service to the property because of its distance from the Verizon Digital Subscriber Line Access Multiplexor. Verizon denies the remaining allegations of the third paragraph of the complaint.

4. The fourth paragraph of the complaint alleges that the Carraways property is “on the line between the two companies, separated by Friendfield Road,” that the business has a hub for high speed access and a line and pole to the building, and that the business would benefit from DSL or other high speed access to the Internet. In response, Verizon admits that the Carraways property is on the other side of Friendfield

Road from Farmers' service territory. Verizon is without information sufficient to form a belief as to the truth of the remaining allegations of the fourth paragraph of the complaint and therefore denies those allegations.

5. The fifth paragraph of the complaint makes allegations concerning discussions between Mr. Carraway and Farmers. In response, Verizon is without information sufficient to form a belief as to the truth of the allegations of the fifth paragraph of the complaint and therefore denies those allegations.

WHEREFORE, Verizon respectfully requests that that the Commission:

- a. Dismiss the complaint with prejudice; and
- b. Order such further relief as is just and proper.

Respectfully submitted on October 16, 2008.

BY: 

Steven W. Hamm, Esquire  
Richardson, Plowden, Carpenter & Robinson  
1900 Barnwell Street  
Columbia, South Carolina 29202  
Tel: (803) 771-4400

Counsel for Verizon South Inc.

**BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA**

**DOCKET NO. 2008-347-C**

**IN RE:**

**Carraways Treasures & Collections )  
v. Verizon South, Inc. and Farmers )  
Telephone Cooperative, Inc. )**

**CERTIFICATE OF SERVICE**

This is to certify that I, the undersigned employee of Richardson, Plowden, & Robinson, P.A. have caused to be served this day, October 16, 2008, one (1) copy of the attached letter on behalf of Verizon South Inc. in the above referenced docket by placing a copy of same in the care and custody of the United States Postal Service, first class postage prepaid to the following Parties of Record:

**William E. DuRant, Jr., Esq.  
Schwartz, McLeod, DuRant & Jordan  
Attorney at Law  
10 Law Range  
Sumter, SC 29150**

**Jeffrey M. Nelson, Esq.  
Office of Regulatory Staff  
1401 Main Street, Suite 900  
Columbia, SC 29201**

**Richard Carraway  
Carraways Treasures & Collectibles  
2495 West Highway 378  
Pamplico, SC 29583**

SC PUBLIC SERVICE  
COMMISSION

2008 OCT 16 PM 2:46

RECEIVED



**Carl E. Bell  
Paralegal to Steven W. Hamm, Esq.  
Richardson, Plowden & Robinson, P.A.  
1900 Barnwell Street  
P.O. Drawer 7788  
Columbia, South Carolina 29201  
(803) 771-4400 – Office  
(803) 779-0016 - Fax**

**October 16, 2008  
Columbia, South Carolina**